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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,995	03/15/2006	Johannes Antonius Craamer	07054.0006.PCUS00	5581
32894	7590	08/22/2007	EXAMINER	
HOWREY LLP			NGUYEN, KHANH TUAN	
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2941 FAIRVIEW PARK DR., SUITE 200			PAPER NUMBER	
FALLS CHURCH, VA 22042			1751	
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			08/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/571,995

Applicant(s)

CRAAMER, JOHANNES
ANTONIUS

Examiner

Khanh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 18-23, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 18-23, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The preliminary amendment filed on 06/18/2007 is entered and acknowledged by the Examiner. Claims 1-26 are currently pending with claims 16, 17 and 24 are cancelled in the instant application.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 06/18/2007 has been regarded by Examiner and made of record in the application file.

Drawings

The drawing(s) submitted on 03/15/2006 has been regarded by Examiner and made of record in the application file.

Claim Objections

Claims 1 and 23 are objected to because of the following informalities: Claims 1 and 23 are objected to because the words "therepast" and "therebetween" require spacing between the words. Appropriate correction is required.

Specification

The disclosure is objected to because of the following informalities: The disclosure is objected to because paragraph [0014] contains the word "therealong" which require spacing between the words. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1 and 23 recited "repeating steps a to e for a second textile article wherein the operation carried out in step c) or e) is different for the first and second articles" is not supported by the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 18-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (U.S Pat. 6,120,560 hereinafter, "Miller") or Dawson et al. (G.B Pat. 2,187,419 hereinafter, "Dawson") in view of Teumer (U.S Pat. 4,347,521 hereinafter, "Teumer").

With respect to instant claims 1-15, 18-23 and 25-26, Miller discloses (please refer to fig.1, fig. 2 and fig. 3) a method for digitally upgrading a textile article (5), using an upgrading device such as a solid shade dyer (12) and a dyeing jet patterning device (20), the device comprising a series of nozzles or applicator arrays (12, 54) for applying one or more substances to the textile articles (5), in addition to a conveyor or roller (34, 38, 52) for transporting the textile articles past the nozzles (54), wherein the nozzles (12, 54) are ordered in a number of successively placed rows extending transversely of the transporting direction of the textile article, the method comprising the steps of a) affixing a first textile article (5) to the conveyor (34, 38, 52) to substantially prevent relative movement there between; b) guiding the first textile article past a first row (12) of nozzles; c) performing with the first row (12) of nozzles one of the operations of painting, coating or finishing of the textile article carried there past; d) subsequently guiding the first textile past a second row (54) of nozzles; e) performing with the second row (54) of nozzles another of the operations of painting, coating or finishing of the textile article carried there past (Col. 3, lines 30-65 and Col. 4, lines 5-50).

Dawson discloses (please refer to fig.1 to fig. 4) a method for digitally upgrading a textile article (14), using an upgrading device such as a patterning device (B, C, D) and a setting station (F), the patterning device comprising a plurality of nozzles or

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capillary jets (17) for applying one or more substances to the textile articles (14), in addition to a conveyor belt (12) for transporting the textile articles past the nozzles (17), wherein the nozzles (17) are ordered in a number of successively placed rows extending transversely of the transporting direction of the textile article, the method comprising the steps of a) affixing a first textile article (14) to the conveyor (12) onto a feed station (A) to substantially prevent relative movement there between; b) guiding the first textile article past a first row (15 B) of nozzles; c) performing with the first row (15 B) of nozzles one of the operations of painting, coating or finishing of the textile article carried there past; d) subsequently guiding the first textile past a second row (15 C) of nozzles; e) performing with the second row (15 C) of nozzles another of the operations of painting, coating or finishing of the textile article carried there past. After coated with a plurality of design or pattern, the substrate is take-off at station E (Col. 2, lines 75-120). Dawson further discloses the printing line comprising a computer (30) for controlling the pattern devices (B, C, D) for printing or coating a pre-programmable pattern or design (Col. 3, lines 95-108) onto a substrate.

The references differ from the instant claims in failing to teach high-speed printing (at least 100,000 droplets per second).

In the same field of endeavor, Teumer discloses a printing apparatus system containing an array of nozzles 18 capable of generating at least from about 100,000 drops per second (dps) to over 200,000 dps (col. 4, lines 57-60).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the method and apparatus for digitally upgrading a substrate, as taught by Miller or

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Dawson, and incorporating an array of nozzles capable of producing at least 100,000 dps, as taught by Teumer, in order to improve the method and apparatus for compensating for distortion in a scan or print line of drops due relative motion of the drop generator and target in a printing system having multiple nozzles (Col. 1, lines 53-58).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh T. Nguyen whose telephone number is (571) 272-8082. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



KTN
08/14/2007



Mark Kopec
Primary Examiner